

COMMISSIONERS APPROVAL

GRANDSTAFF *CG*

ROKOSCH *JZ*

THOMPSON *AT*

CHILCOTT

DRISCOLL

PLETTENBERG (Clerk & Recorder)

Date.....April 25, 2008

Members Present.....Commissioner Carlotta Grandstaff,
Commissioner Jim Rokosch, Commissioner Alan Thompson, Commissioner Greg
Chilcott and Commissioner Kathleen Driscoll

Minutes: Glenda Wiles

► The Board held an interview for the Human Resource Director position.

► The Board addressed the fencing issue behind Joe Jessop's residence on Tammany Lane that borders the property owned by the county for the airport area. Issues of discussion included the responsibility of the lessor, Ron Hale to maintain the fences; the results of the survey by Surveyor George Marshall in regard to the exact property line between the county property and Mr. Jessop's; and the issue if a new fence should be installed to provide for the exact property line; and to keep the cattle out of Mr. Jessop's back yard. After a review of the Montana Code with Civil Counsel Karen Mahar, it was determined that the lessor is responsible to maintain the fence but the building of the new fence is to be split between the two property owners (Jessop and the County). It was agreed that Airport Manager Page Gough will work with Ron Hale and Joe Jessop in order to install a new fence for approximately 100' and try to keep the costs down. He will report back to the Commissioners with an approximate cost due to the need of the number of fence posts, the use of a post pounder and whom will be helping with the labor.

► The Board met with various representatives from cities, towns and sewer districts as well as the Planning Consulting team (Clarion Associates) in regard to zoning options around communities. Numerous citizens were in the audience as well as members of the Planning Board and Planning Staff. Also present was Planning Director Karen Hughes and Clarion Employee Don Elliott.

Clarion presented a memo (as attached) that stated in part *'as Ravalli County continues to refine the draft countywide zoning regulations and to review the draft zoning maps, it would be good to coordinate those documents with zoning the incorporated municipalities'*. This memorandum suggests three possible tools to help with that process; those tools being compatible residential densities, municipal commercial standards and cooperation on basic services.

Karen stated this is a follow up meeting to the January meeting with the numerous communities.

Don Elliott reviewed the three tools as described in the memorandum. He stated there is a perception that Clarion is paying more attention to agricultural properties than to the incorporated municipalities. He stated that is not true.

City of Hamilton Mayor Jessica Randazzo had asked Clarion Associates to be specific about tools that can be utilized between municipalities and the county. Don stated one of the main topics is density (Compatible Residential Densities). One bad thing that could happen would be that the county would put high density around a city, and the city could have low density around their boundaries which could also cause some problems. One way to solve this is to have an inter-local agreement between the city and county in regard to residential densities. One proposal is the R-2; R-3 and densities which could and has raised some concern. However the proposal also addresses transferable development credits for the required densities. While this is hard to do, the city and county should agree to those locations.

The second topic is the municipal commercial standards. The worry here is that commerce will leave the cities and go out into the rural areas, creating fewer taxes for the municipalities. The secondary concern is the way it looks (the appearance) out on the highway. Don stated there is evidence to the contrary that says if the county allows commercial development outside the city, more commercial businesses will move to the rural area.

The last tool is the cooperation on basic services. Don stated what the county wants to avoid is to have development occur on the door step of the city. That situation would require services from the city as having competing services would not be beneficial. If the growth policy works, numerous people will move near or into the cities. He stated these are tools that can be utilized for the concerns that have been expressed. Most of these concerns are addressed through the inter-governmental districts.

Chuck McRae, Corvallis Sewer District Representative asked who is going to pay for these services or the connection. Jessica stated who should pay for it is the rate payer. She stated there is a connection to the services. Engineer Roger DeHaan stated most sewer district reps are volunteer boards and it represents a lot of work for the boards. The other issue is that the area around the sewers, the plants, are now being circled by

development which is limiting their room for expansion. The more you build out your sewer, the less desirable it is to live in that area.

Commissioner Grandstaff asked who they define as their rate payers. Roger stated it is the people who come to the sewer district. We do not have a defined geographic boundary. Chuck stated Corvallis Sewer is small. The sewer plant used to be in the county and that is not the case anymore. Houses are encroaching upon them.

Don stated the fair way is to pay for the extra capacity that a development costs. The unfairness is when the developers pay for the new plant. In regard to the volunteers putting in a lot of hours, that is the nature of the job. Development creates a lot of work for these boards. In regard to zoning encroaching upon the water and sewer district, that needs to be addressed in the zoning maps.

Commissioner Driscoll stated she sits on the State Board of Sanitarians and they addressed this issue of encroachment in Manhattan, Montana. They too have this clash of space and development. Ultimately they re-built the whole sewer system to accommodate the new growth. Jessica Randazzo stated the Town of Manhattan worked with the developers to build a new plant.

Commissioner Rokosch stated the capital concerns of the small sewer districts can be met with the impact fees.

Commissioner Chilcott stated in this instance impact fees don't necessarily work. They are talking about capacity because of development and those impact fees are only collected at the time of development. There is nothing for the continued maintenance.

Roger stated in Corvallis and Victor Town sites, there would be a calculation of the total capacity of the district. Corvallis has some physical limitations, but Victor does not have any geographic constraints. Leapfrogging might not be such a bad idea. Hamilton also has some geographic constraints.

Jessica questioned the compatibility of residential districts and the T.D.C.'s in regard to two units per acre. She asked how the city and county could work together on using this system to provide an incentive for annexation. She also noted these would be higher standard of developments with sidewalks, proper width of roadways etc.

Don stated the county could agree to those standards such as having sidewalks. He stated many places have those expanded areas of required development standards outside the city (such as doughnut zoning). Don also stated the county could agree to require those standards. Don also stated at some point 'above a certain density – a community water and sewer system might be required'.

Ben Longbottom stated he likes the idea of having an agreement between the city and county in those areas around the city. One area that needs some consistency is the setbacks. Don stated Clarion can look at those incompatible setbacks. Ben stated the

connection fees are the buy in to the system, but as the needs increase the users end up paying for that increase.

Land (Building codes for City of Hamilton) addressed the old bus depot on Kurtz Lane that was recently purchased by an unknown person. This new owner has not come to the City so they do not know what kind of business will be there, what kind of traffic there will be etc. He stated it is important for the county to work with the city in regard to the appropriate land use. Jessica concurred this is an important issue.

Commissioner Rokosch stated this is a text book example of the reason for having this discussion. He discussed there needs to be some agreements for not only density but land use.

Don stated in regard to land use, it could be dealt with in an inter-local agreement on a case by case issue. He noted this will be a point of contention in the future. Many of the CPC's are simply allowing industrial in areas where industrial currently exists. That might not line up with what they want the valley to look like in the future.

Curtis Cook asked about the pictures that Land submitted on Kurtz Lane; isn't that grandfathered in? It was noted it would be grandfathered in, but the issue is not just this site, but what it creates by not having a plan in place now and allowing these types of land use to affect the future use of certain areas.

Chuck stated his board has no authority on land use and the design of that land such as sidewalks etc. They can only say yes or no to the hook up.

Commissioner Grandstaff asked about the Place to Ponder building. She stated for the size of this building, since it was in the county, the lot size was not built large enough, and the setbacks to the south and east side are not conforming. The height is not correct. Another picture is the car lot south of town. The driveway is dirt etc. and the appearance is not appropriate for the beginning of the city.

Jessica stated they are not picking on any particular business, just that it causes some issues for the city to overcome when they are annexed.

Don stated this is a great opportunity for setting precedence in order to work with the cities and districts with the inter-local agreement. He stated it is hard to unravel bad standards and developments, and easier to address it up front.

In regard to the sewer district, Don stated he would need more information prior to making any comments.

Ben Hillicoss addressed the area of Florence noting the problem is who decides how it will look as there is no one to decide. The sewer district is small and they do not want to annex anyone in. The ideal way to deal with this would be to figure out how to draw a

boundary for a district and then getting the people to accept the district. Roger noted the sewer districts have no authority to decide density, just on who they allow to hook up.

Ben stated the zoning tool is used for the density issue.

Wilma Allen stated the sewer district needs to determine capacity.

Bob Cron noted it seems the shift of Commissioners to be in the business of rural and urban issues.

Commissioner Chilcott stated one issue is to 'get in front' of the need for capacity and projected needs. Impact fees won't get us to the 'end need' for capacity. Roger stated traditionally the manner is to receive grants and bonding. As the people hook up, they pay off the debt service.

Chip Pigman stated if they are talking about growth in certain areas, there are packaged plants that can provide the service; the issue is where to locate the plant. Density is not bad around these areas that have some services, such as Corvallis. If it is a logical place to have growth, then the services must be provided as you will be vetoing the growth policy to not allow this. Don agreed.

Commissioner Rokosch raised the concept of urban growth areas and fitting in some urban growth boundaries. He stated there must be some limit and boundary on how far the urban area can go. Do we go from one forest service boundary to other forest service boundary? If we want to maintain some distinct community character we must set some boundaries if that is what the people want.

Commissioner Driscoll stated at last night's meeting no one disagreed with the rural areas. Some new people might not have the same definition of what the old timers see. She stated the developments are creating 'new towns'.

Commissioner Grandstaff stated the city and the county need to get together for cooperation. The next step is to outline what they agree on and the differences of the municipalities such as sewer districts versus municipalities. Those ideas can be funneled through Karen Hughes. Jessica suggested they be more specific on what the county wants. Karen stated the issue needs to be identified, how the cooperation mechanism can be reached. Deadline for these comments would be May 23rd.

► The Board then held a working lunch with Clarion Associates, Planning Board Members and Planning Staff in regard to the countywide zoning project update.

► Commissioners Chilcott, Grandstaff and Driscoll attended a Victor CPC countywide zoning draft meeting open house at Victor High School Multi Purpose Room between the hours of 10 a.m. and 4:00 p.m. on Saturday, April 26th.

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C L A R I O N

MEMORANDUM

To: Karen Hughes, Ravalli County Planning Director
Cc: Shaun Morrell, Ravalli County Planning
Matt McKinney and Daisy Patterson, UMPPRI

From: Clarion Associates

Date: April 24, 2008

RE: Coordination of Ravalli Countywide Zoning with
Zoning in Incorporated Municipalities

As Ravalli County continues to refine the draft countywide zoning regulations and to review the draft zoning maps, it would be good to coordinate those documents with zoning in the incorporated municipalities. This memorandum suggests three possible tools to help with that process.

1. Compatible Residential Densities. Draft B of the zoning regulations outlines three residential districts that will probably be used near the incorporated cities (and unincorporated towns). The proposed R-2 district has a maximum density of 2 du/acre, the R-3 district has a maximum density of 5 du/acre, and the R-4 district has a maximum of 20/du acre. However, Draft B also provides that in the R-3 and R-4 districts any density above 2du/acre would have to be achieved through the transfers of development credits TDCs. While it is unlikely that developments at the 2 du/acre density would be incompatible with adjacent areas of the incorporated municipalities, higher densities might be. The county might consider involving the towns in review of proposed uses of TDCs in areas adjacent to cities. This could be done through an informal review process or through a formal intergovernmental agreement between the county and any city that wants to be involved those decisions.

While it is good practice to avoid placing higher densities on unincorporated lands adjacent to cities than the city would allow on adjacent lands within their boundaries, that cannot always be avoided. It is generally appropriate for higher density zoning to be used near incorporated cities where roads and services are available, and if the municipalities apply low density zoning near their edges, then it is sometimes impossible for the county to keep their zoning densities even lower than the cities' densities. Put another way, while it is bad practice for the county to over-zone densities outside the cities, it is also bad practice for cities to under-zone lands in their own boundaries – the only real answer is a system to cooperate on zoning decisions near the edges of municipalities.

In addition, the county and municipalities should probably discuss whether any portions of the municipality would be appropriate sites to use TDCs transferred to reduce development in rural areas of the county. Some effective rural county TDC programs use agreements between the city and county to expand the list of areas where TDCs can be used. While some municipalities are initially reluctant to have this discussion, discussions between the two governments sometimes result in an understanding that use of TDCs in the municipality might be more appropriate and have fewer adverse impacts than use of the same TDCs on the edge of the city.

2. Municipal Commercial Standards. Some cities fear that commercial zoning just outside the municipal boundaries will result in low-quality commercial development that hurts the image of the town and erodes its commercial tax base. Where the city has adopted commercial design standards, one way to reduce this risk is to have the county apply the same design standards to development within a defined distance of the city limits. Again, this could be done through a resolution of the county commissioners or through a more formal agreement between the city and county. More importantly, the county might refer proposals for new commercial zoning within a defined distance of the boundary to the city government for review and comment before county action on the application.

3. Cooperation on Basic Services. One of the best ways to avoid inappropriate development densities just outside municipal boundaries is for the city and county governments to agree on utility service provision in those two areas. More specifically, the city and county may want to agree that development above a certain density within a certain distance of the city will only be approved with the use of municipal or district water and sewer services. County approval of alternative utility systems on the city's doorstep can not only result in "city densities outside the city" but can actually make it harder for the city to annex the property as it grows in the future. In order for a cooperative utility agreement to work, however, the municipalities or utility service districts must be willing to extend service to those defined areas. Put another way, if the county agrees to avoid creating alternative utility systems or districts along the city's boundaries, the city needs to agree to provide those services.

We suggest that the county consider the use of these three tools as it proceeds with refinement of the countywide zoning regulations and map.

SIGN IN SHEET – COMMISSIONERS MEETING

PLEASE PRINT YOUR NAME LEGIBLY

DATE: 4/25

MEETING: Zoning / Communities

Bud Hall Darby

Jessica Randazzo Hamilton

CAND LANSER City of
Hamilton

Ken De Groot, Randy Fifick &
Shawn Morrell - Planning

Bob Cron - Hamilton - Plan Board

John CARLIN - STEEL
Planning Board

Wilma Allen Corvallis Sewer

CHIP PIGMAN - PLANNING BOARD

Roger DL Haan Victor Sewer
& Corvallis Sewer

Chuck McRae Corvallis Sewer

Barry Artell Corvallis Sewer

Les Rutledge P.B.
HAMILTON

SIGN IN SHEET - COMMISSIONERS MEETING

PLEASE PRINT YOUR NAME LEGIBLY

DATE: 4/25

MEETING: _____

Chuck Roubik, HAMILTON

Greg Lemmon Hamilton

Ben Hillcross - Florence

BEN LONGBOTTOM - STEVENSVILLE
